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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,484	12/21/2001	Massimo Aleardi	713-589	4537

7590

11/14/2003

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EXAMINER
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BENENSON, BORIS

ART UNIT	PAPER NUMBER
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2836

DATE MAILED: 11/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/024,484	ALEARDI, MASSIMO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Boris Benenson	2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5 is/are rejected.
- 7) ☒ Claim(s) 4 and 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some    \* c) ☒ None of:  
    1. ☐ Certified copies of the priority documents have been received.  
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
    \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
    a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

***Claim Objections***

1. Claim 4 is objected to because of the following informalities: " **a control terminal (24a) defining said control terminal (24a)** of said electronically controlled switching means" does not have clear meaning. Does it means "a control terminal (24a) defining **a state** of said electronically controlled switching means"?

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berlik et al. 4,413,611. Berlik et al. disclose a *modular gas range compartment* including a pan having two burners and an igniter attached therein (Abstract). Hand-operated switches (Fig.12, Pos. 251-254) are enabling or disabling a conventional spark module (255) by connecting or disconnecting the module to a reference-potential line where a

first terminal of each of the switches is connected by connecting a line to an enabling terminal of the spark module (read on lighter) and a second terminal is connected to the reference-potential line. Berlik et al. does not disclose which of power lines terminated on a connector/plug (240) will be a hot, a neutral or a ground line. It would have been obvious to one of ordinary skill in the art at the time the invention how connect the hot and the neutral and the ground lines to enable circuitry to perform.

Referring to Claim 2, all of the switches are hand-operated and connected in parallel between the connecting line and the reference-potential line. Each of the switches operated by respective knob (Fig.7 pos.82) and connected to the respective valves (80) of the burners.

1. Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berlik et al. 4,413,611 in view of Gann 4,626,193. Berlik et al. disclose all the limitation of Claim 1, but did not disclose any detail of the conventional spark module. Gann teaches *direct spark ignition system* (Fig.1) that provides a spark generation for a burner (10). A first input terminal (D1) is connected to power line through a switch (11). An output terminal (20) is provided for generating sparks at the burner (10). A transformer having a primary winding (26)

connected between nodes a first and a second nodes (24, 21) and a secondary winding (27) connected to the output terminal (20). An electronically controlled switching means (15) interposed between the first input terminal and the primary winding and having control terminal connected to a enabling terminal (12). The enabling terminal (12), when enabled, is not only enable a spark generating process but interrupts that the spark generating process when burner is burning and controls supply of the flammable gas to the burner. It would have been obvious to one of ordinary skill in the art at the time the invention to compliment the modular gas range compartment, disclosed by Berlik et al., with teachings of Gann, because it will allow produce sparks to ignite the range or reignite the burner if necessary and prolong a lifespan of the output terminal by interrupting the spark generating process when burner is already burning.

Referring to Claim 5, the electronically controlled switching means (15) comprise a silicone-controlled rectifier (Q1).

***Allowable Subject Matter***

2. Claims 4 and 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in

Application/Control Number: 10/024,484  
Art Unit: 2836

Page 5

independent form including all of the limitations of the base claim and any intervening claims.

**Contact information**

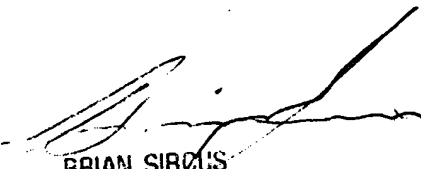
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Benenson whose telephone number is (703) 305-6917. The examiner can normally be reached on M-F (8:20-6:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (703) 308-3119. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Boris Benenson  
Examiner  
Art Unit 2836

B.B.

  
BRIAN SIRCUS  
SUPERVISORY PATENT EXAMINER  
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